

Message Text

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INFO OCT-01 EUR-12 ISO-00 L-03 H-02 CAB-05 CIAE-00

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DRAFTED BY DOT/OST/TGC:P.LARSEN:JV

APPROVED BY L/ARA:F.WILLIS

EB/OA/AVP - J. GRAVATT

EUR/NE - D. GOODMAN

-----043317 140454Z /15

R 132019Z JUL 77

FM SECSTATE WASHDC

TO AMEMBASSY BRUSSELS

INFO AMCONSUL MONTREAL

UNCLAS STATE 163103

E.O. 11652: N/A

TAGS: EAIR, BE

SUBJECT: STATUS OF U.S. RATIFICATION OF WARSAW PROTOCOLS

REFS: (A) BRUSSELS 3522; (B) BRUSSELS 7819

1. MONTREAL PROTOCOLS 3 AND 4, WHICH UP-DATE THE WARSAW CONVENTION WERE SUBMITTED TO U.S. SENATE ON JANUARY 17, 1977. THE SENATE HAS SCHEDULED PUBLIC HEARINGS ON JULY 26. THE DEPARTMENT OF STATE AND TRANSPORTATION SUPPORT SENATE APPROVAL OF THESE TWO PROTOCOLS, WHICH WOULD INCREASE AIR CARRIER LIABILITY LIMIT FOR PASSENGER CARRIAGE TO 115,000 DOLLARS AND SUBSTANTIALLY REFORM THE DOCUMENTATION RULES FOR CARGO CARRIAGE. SIMULTANEOUSLY WITH SENATE CONSIDERATION OF THE PROTOCOLS, THE CIVIL AERONAUTICS BOARD IS NEARING CONCLUSION OF ITS EXAMINATION OF AN INTER-CARRIER PLAN TO SUPPLEMENT RECOVERIES UNDER UNCLASSIFIED

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THE REVISED WARSAW CONVENTION, WHICH WOULD ADD 200,000 DOLLARS TO THE 115,000 DOLLARS PASSENGER LIABILITY LIMIT.

2. YOUR CABLE REFERS TO THE GUATEMALA PROTOCOL, BUT U.S. ACTION WILL NOT BE SPECIFICALLY WITH REGARD TO IT. THE GUATEMALA PROTOCOL WAS UP-DATED BY MONTREAL PROTOCOL 3. RATIFICATION OF MONTREAL PROTOCOL 3 WILL INCLUDE ADOPTION

OF THE PROVISIONS CONTAINED IN THE GUATEMALA PROTOCOL,

EXCEPT THAT LIMITS OF LIABILITY ARE EXPRESSED IN SPECIAL DRAWING RIGHTS RATHER THAN IN UNITS OF GOLD. THUS, THE U.S. (IF THE SENATE APPROVES) WILL NOT RATIFY GUATEMALA ITSELF, BUT RATHER ONLY ITS UP-DATED VERSION, MONTREAL PROTOCOL 3. PROTOCOLS 3 AND 4 CAN COME INTO FORCE WITHOUT U.S. RATIFICATION, ALTHOUGH THE 1971 GUATEMALA CITY PROTOCOL DOES REQUIRE U.S. RATIFICATION BEFORE ENTERING INTO FORCE. PROTOCOLS 3 AND 4 ENTER INTO FORCE WHEN ANY 30 STATES HAVE RATIFIED THEM. WE ARE VERY INTERESTED IN PROGRESS TOWARDS RATIFICATION OF OTHER STATES AND, IN THE ABSENCE OF SUCH PROGRESS, WE FEEL THE CASE FOR U.S. RATIFICATION IS WEAKENED. THE SENATE FOREIGN RELATIONS COMMITTEE HAS ALREADY ADVISED US THAT IT WILL WANT TO KNOW AT THE TIME OF THE HEARINGS WHAT ACTION OTHER STATES ARE TAKING. REQUEST YOU PASS THIS INFORMATION TO VANDERPERREN, ADVISE HIM OF OUR INTEREST IN SEEING MOVEMENT BY BELGIUM AND OTHERS TOWARDS RATIFICATION OF PROTOCOLS 3 AND 4, AND REQUEST THAT HE KEEP US ADVISED OF ALL STEPS BELGIUM IS TAKING REGARDING THE PROTOCOLS. WE ARE SENDING SAME REQUEST TO A NUMBER OF OTHER STATES IN ORDER TO RESPOND TO SENATE FOREIGN RELATIONS COMMITTEE INQUIRY.

3; REGRET TRANSMISSION OF THIS CABLE IN RESPONSE TO
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REFTEL A WAS INADVERTENTLY DELAYED AND REFTEL B ALERTED US TO FACT IT HAD NOT GONE OUT. OUR REFERENCE TO SEPTTEL WAS MEANT TO REFER TO THIS CABLE. VANCE

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Message Attributes

Automatic Decaptioning: X
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Copy: SINGLE
Sent Date: 13-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition Event:
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Disposition Reason:
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